

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

z4 Technologies, Inc.,)
vs.)
Plaintiff,) HONORABLE Leonard Davis
vs.) CIVIL ACTION NO. 6:06-cv-00258
Microsoft Corporation and)
Autodesk, Inc.)
Defendants.) JURY TRIAL DEMANDED
vs.)

**AMENDED COMPLAINT FOR DAMAGES
FOR PATENT INFRINGEMENT**

I. THE PARTIES

1. Plaintiff z4 Technologies, Inc. ("z4") is a Michigan corporation, having an address at 3786 Ranya Drive, Commerce Township, Michigan 48382.

2. Defendant Microsoft Corporation ("Microsoft") is a Washington corporation, having an address at One Microsoft Way, Redmond, Washington 98052. Microsoft is qualified to do business in the State of Texas, Filing No. 10404606, and has appointed Corporation Service Company, 701 Brazos Street, Suite 1050, Austin, Texas 78701, as its agent for service of process.

3. Defendant Autodesk, Inc. ("Autodesk") is a Delaware corporation, having an address at 111 McInnis Parkway, San Rafael, California 94903. Autodesk is qualified to do business in the State of Texas, Filing No. 10177806, and has appointed CT



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Corporation System, 350 N. St. Paul, Dallas, Texas 75201, as its agent for service of process.

II. JURISDICTION

4. This matter arises under the Patent Act, 35 U.S.C. §1 *et seq.*
5. Subject matter jurisdiction is conferred upon the Court by 28 U.S.C. §1338.

III. DAMAGES FOR PATENT INFRINGEMENT

6. In the matter *z4 Technologies, Inc. v. Microsoft Corporation et al.*, Case No. 6:06-CV-142 (“*z4 I*”), z4 brought suit against Microsoft and Autodesk for infringement of U.S. Patent No. 6,044,471 and U.S. Patent No. 6,785,825 (the “z4 Patents”). z4 is the owner by assignment of the z4 Patents.

7. The case was tried to a jury on April 10, through April 19, 2006. The jury found that Microsoft products infringe the z4 Patents, that Autodesk products infringe the z4 Patents, that Microsoft’s infringement is willful, and that the z4 Patents are not invalid.

8. On June 15, 2006, the Court entered an Order (Dkt. No.394) in the *z4 I* matter severing z4’s post-verdict damages for the adjudicated infringement.

9. This Complaint is filed pursuant to the Court’s Order to recover post-verdict damages resulting from Microsoft’s and Autodesk’s continuing infringements.



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IV. DEMAND FOR RELIEF

WHEREFORE, z4 asks the Court to:

- A. Pursuant to 35 U.S.C. § 284, award damages based on a reasonable royalty for Microsoft's and Autodesk's post-verdict infringements;
- B. Pursuant to 35 U.S.C. § 284, award treble damages for Microsoft's continuing willful infringement;
- C. Pursuant to 35 U.S.C. § 285, declare this case "exceptional" and award z4 costs, including reasonable attorney fees; and
- D. Grant z4 all other relief to which it is entitled.

V. JURY DEMAND

z4 demands a trial by jury of all issues so triable.

By: /s/ John Ward, Jr.
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Dated: June 23, 2006